

# **Notice of Allowability**

Application No.

Applicant(s)

09/914,440

LEE ET AL.

Examiner

Art Unit

Nikolas J. Uhlir

1773

## **-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/07/2004.
2. ☒ The allowed claim(s) is/are 1, 2, 4-6, 8 and 9.
3. ☒ The drawings filed on 27 August 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                    |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>05/17/2004</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                           |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Guy Birkenmeier on 05/17/2004.

The application has been amended as follows:

**Claim 1, line 4:** "first resin solution consisting of" has been deleted

**Claim 1, line 9:** "PTFE-based wax" has been deleted and -- polytetrafluoroethylene-based wax -- has been inserted therefor.

**Claim 1, lines 14-15:** "wherein said first resin" has been deleted, and -- wherein said phenoxy resin has a number average molecular weight of 25,000 to 50,000 and -- has been inserted therefor.

**Claim 2, lines 2-4:** "wherein said first resin solution is a water-soluble phenoxy resin that has a number average molecular weight of 25,000 to 50,000;" has been deleted and -- wherein said phenoxy resin is a water soluble phenoxy resin; -- has been inserted therefor.

**Claim 2, line 6:** "said first solution;" has been deleted and -- said phenoxy resin; -- has been inserted therefor.

**Claim 2, line 8:** "said first solution;" has been deleted and -- said phenoxy resin; -- has been inserted therefor.

**Claim 2, line 9:** "PTFE-based wax" has been deleted and -- polytetrafluoroethylene-based wax -- has been inserted therefor.

**Claim 2, line 10:** "said first solution;" has been deleted and -- said phenoxy resin; -- has been inserted therefor.

**Claim 2, line 12:** "said first solution;" has been deleted and -- said phenoxy resin; -- has been inserted therefor.

**Claim 4, line 1:** "claim 3" has been deleted and -- claim 1 -- has been inserted therefor.

**Claim 5, line 5:** "first resin solution of: has been deleted.

**Claim 5, line 8:** "said first solution;" has been deleted and -- said phenoxy resin; -- has been inserted therefor.

**Claim 5, lines 11-12:** "said first solution;" has been deleted and -- said phenoxy resin; -- has been inserted therefor.

**Claim 5, lines 15:** "said first solution" has been deleted and -- said phenoxy resin -- has been inserted therefor.

**Claim 8, line 2:** "claim 7" has been deleted and -- claim 5 -- has been inserted therefor.

**Claim 9, line 2:** "first" has been deleted.

**Claim 9, line 3:** "of water-soluble phenoxy" has been deleted and --comprising a water-soluble phenoxy -- has been inserted therefor.

**Claim 9, line 7:** "first solution;" has been deleted and -- phenoxy resin; -- has been inserted therefor.

**Claim 9, line 9:** "first solution;" has been deleted and -- phenoxy resin; -- has been inserted therefor.

**Claim 9, line 10:** "PTFE-based wax" has been deleted and -- polytetrafluoroethylene-base wax -- has been inserted therefor.

**Claim 9, line 11:** "first solution;" has been deleted and -- phenoxy resin; -- has been inserted therefor.

**Claim 9, line 15:** "first solution;" has been deleted and -- phenoxy resin; -- has been inserted therefor.

**Claim 9, line 20:** "first resin solution;" has been deleted and -- phenoxy resin; -- has been inserted therefor.

***Withdrawal of Prior Grounds of Rejection***

2. Applicant's arguments dated 4/07/2004 in conjunction with the above examiner's amendment are persuasive in overcoming the previous grounds of rejection.

Accordingly, all previous grounds of rejection are hereby withdrawn.

***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance: The closest prior art to that of the instant invention is US6235407 to Ogata et al. While Ogata does teach the use of various resin solutions including phenoxy resins solutions to coat the a steel sheet that is to be used as a fuel tank, Ogata does not teach all of the limitations required by the instant claims. Specifically, Ogata does not teach: 1) adding melamine to the resin as required by the instant claims; 2) the use of phenoxy resin required by the instant claims, specifically a water soluble phenoxy having the required molecular weight; and 3) the addition of silica to the resin as required by the instant claims. There is no teaching or motivation in the prior art to modify the Ogata reference so as to meet

all of the requirements of the instant claims. Further, the fact that four distinct modifications to Ogata (1. addition of melamine; 2) modification of the hydrophilic groups on the phenoxy of Ogata to render it hydrophilic; 3) modification of the molecular weight of the phenoxy to within the claimed range; and 4) addition of colloidal silica) would be required to read on the instant independent claims is evidence of the non-obviousness of the instantly claimed invention

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nikolas J. Uhlir whose telephone number is 571-272-1517. The examiner can normally be reached on Mon-Fri 7:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul J. Thibodeau can be reached on 571-272-1516. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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